

## National Park Service, Interior

## § 73.13

### § 73.11 Federal Interagency Panel for World Heritage.

(a) *Responsibilities.* The Federal Interagency Panel for World Heritage is established to advise the Department of the Interior on implementation of the World Heritage Convention. Among other things, the panel assists in the following activities:

- (1) The development of policy and procedures for effectively implementing the Convention in the U.S.;
- (2) The evaluation of draft U.S. nomination documents;
- (3) The making of recommendations for approval of U.S. nominations;
- (4) The dissemination of information on the Convention within other Federal agencies; and
- (5) The promotion of increased awareness and understanding of the importance of heritage conservation.

(b) *Composition.* (1) The Federal Interagency Panel for World Heritage is composed of representatives, named by their respective agencies, from the following agencies and offices:

- (i) The Office of the Assistant Secretary for Fish and Wildlife and Parks, U.S. Department of the Interior;
- (ii) The National Park Service, U.S. Department of the Interior;
- (iii) The U.S. Fish and Wildlife Service, U.S. Department of the Interior;
- (iv) The President's Council on Environmental Quality;
- (v) The Smithsonian Institution;
- (vi) The Advisory Council on Historic Preservation;
- (vii) The National Oceanic and Atmospheric Administration, Department of Commerce; and
- (viii) The Department of State.

(2) Additional representatives from other Federal agencies with mandates and expertise in heritage conservation may be requested to participate in the Panel from time to time.

(3) The Assistant Secretary, or his/her designee, chairs the Panel, and sets its agenda and schedule. The NPS provides staff support to the Panel.

### § 73.13 Protection of U.S. World Heritage properties.

(a) *Requirements.* (1) Article 5 of the Convention mandates that each participating nation shall take, insofar as possible, the appropriate legal, sci-

entific, technical, administrative, and financial measures necessary for the identification, protection, conservation, preservation, and rehabilitation of properties of outstanding universal value; and

(2) Title IV of Pub. L. 96-515 requires that no non-Federal property may be nominated to the World Heritage List unless its owner concurs in writing to such nomination. The nomination document for each property must include evidence of such legal protections as may be necessary to ensure preservation of the property and its environment, including, for example, restrictive covenants, easements, and other forms of protection (16 U.S.C. 470a-1).

(b) *Protection Measures for Public Properties.* For properties owned or controlled by Federal, State, and/or local governments, the following items satisfy the protection requirements outlined in paragraph (a) of this section:

- (1) Written concurrence by the owner prior to nomination;
- (2) The nomination document must include reference to:
  - (i) All legislation establishing or preserving the area; and
  - (ii) All existing and proposed administrative measures, including management plans, that would ensure continued satisfactory maintenance of the property and its environment; and
- (3) A written statement by the owner(s) that such protection measures satisfy the requirements outlined in (a) above.

(c) *Protection Measures for Private Properties.* For properties owned or controlled by private organizations or individuals, the following items satisfy the protection requirements outlined in (a) of this section.

- (1) A written covenant executed by the owner(s) prohibiting, in perpetuity, any use that is not consistent with, or which threatens or damages the property's universally significant values, or other trust or legal arrangement that has that effect; and
- (2) The opinion of counsel on the legal status and enforcement of such a prohibition, including, but not limited to, enforceability by the Federal government or by interested third parties. In addition, if the owner(s) is willing, a right of first refusal may be given for